

EXHIBIT 42

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
4 1:18-CV-05775-ERK-CLP

5 -----x
6
7 STAR AUTO SALES OF BAYSIDE, INC.
8 (d/b/a STAR TOYOTA OF BAYSIDE), STAR
9 AUTO SALES OF QUEENS, LLC (d/b/a STAR
10 SUBARU), STAR HYUNDAI LLC (d/b/a
11 STAR HYUNDAI), STAR NISSAN, INC. (d/b/a
12 STAR NISSAN), METRO CHRYSLER
13 PLYMOUTH INC. (d/b/a STAR CHRYSLER
14 JEEP DODGE), STAR AUTO SALES OF
15 QUEENS COUNTY LLC (d/b/a STAR FIAT)
16 And STAR AUTO SALES OF QUEENS
17 VILLAGE LLC (d/b/a STAR MITSUBISHI),

18
19 Plaintiffs,

20 v.

21 VOYNOW, BAYARD, WHYTE AND COMPANY, LLP,
22 HUGH WHYTE, RANDALL FRANZEN AND ROBERT
23 SEIBEL.

24 Defendants.

25 -----x
2000 Market Street
Philadelphia, Pennsylvania

September 13, 2022
10:42 a.m.

DEPOSITION of STEVEN KOUFAKIS, a
Plaintiff, held at the above-entitled time and
place, taken before Carolyn Crescio, a
Professional Shorthand Reporter and Notary
Public of the State of Pennsylvania.

* * *

A P P E A R A N C E S:

MILMAN LABUDA LAW GROUP, PLLC

Attorneys for Plaintiffs

3000 Marcus Avenue

Suite 3W8

Lake Success, New York 11042

BY: JAMIE FELSEN, ESQ.

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN, ESQS.

Attorneys for Defendants

620 Freedom Business Center

Suite 300

King of Prussia, Pennsylvania 19406

BY: MAUREEN FITZGERALD, ESQ.

ALSO PRESENT:

Jeremy M. Koufakis, Esq.

Hugh Whyte

Randall Franzen

Robert Seibel

Steven Rambam (via phone)

Job No. CS5366859

1 S. KOUFAKIS

2 S T E V E N K O U F A K I S , the witness herein,
3 after having been first duly sworn by a Notary
4 Public of the State of Pennsylvania, was examined
5 and testified as follows:

6 BY THE COURT REPORTER:

7 Q. Please state your name for the
8 record.

9 A. Steven Koufakis.

10 EXAMINATION

11 BY MS. FITZGERALD:

12 Q. Good morning, Mr. Koufakis. My name
13 is Maureen Fitzgerald, and I represent the
14 defendants in a lawsuit that's been filed by the
15 Star entities.

16 Have you ever had your deposition taken
17 before?

18 A. Yes.

19 Q. When was that?

20 A. Many years ago.

21 Q. In what connection? What context?

22 A. It was a thing when my mom passed
23 away.

24 Q. An estate matter?

25 A. I'm sorry?

1 S. KOUFAKIS

2 these written reports that you received from
3 Voynow?

4 A. At the time, yes.

5 Q. And did you keep a file or maintain
6 those written reports?

7 A. No.

8 Q. Do you have any of those written
9 reports that you claim to have received?

10 A. No.

11 Q. What did you do with them?

12 A. Threw them out.

13 Q. When did you throw them out?

14 A. Probably at the end of the year.

15 Q. So is it fair to say that you would
16 receive reports, let's say, for 2016, you would
17 receive them twice a year, and then would throw
18 them out at the end of 2016?

19 MR. FELSEN: Objection.

20 Mischaracterization of testimony.

21 A. Again, when I threw them out, I
22 don't remember.

23 Q. Well, what about, at some point you
24 were aware that a decision was being made to
25 sue, or a decision was being contemplated to sue